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April 28, 2020

Hon. George B. Daniels
United States District Judge
Southern District of New York
40 Centre Street
New York, New York 10007

RE: *US v. Dmitry Aronshtein*
11-cr-121, 18-cv-1164 (2255) (GBD)
Inquiry about pending 2255 petition, and
request in light of First Step Act,
and COVID-19 outbreak at Fort Dix FCI

Supplement: Medical opinion; FCI Danbury

Dear Judge Daniels:

I write to update the application for First Step Act release on behalf of Dmitry Aronshtein. Dr. Kateb evaluated Mr. Aronshtein's medical records, which were finally provided. I have provided the opinion letter to AUSA Mathews and now attach Dr. Kateb's April 24, 2020 synopsis and opinion letter.

To sum up, there is no doubt Mr. Aronshtein suffers recurrent congestive heart failure, recurrent (and escalating) episodes of syncope and dizziness, asthma and shortness of breath, and more. He has fainted three times recently. He has been sent to the hospital. He is at risk for a bad outcome if he contracts covid-19, which is spreading daily at Fort Dix FCI. There is not enough staff, much less trained staff, to support inmates who are ill and have acute bouts with their illness, much less to protect them or each other from this epidemic.

I also attach for Your Honor's consideration the complaint and affidavits filed yesterday in the District of Connecticut against FCI Danbury. While the conditions are of course slightly different, the same risk factors – inability to protect oneself, inability to maintain distances, and increasing sickness – are at play at Fort Dix as well. Alas, the Bureau of Prisons is not reliability releasing information as to any of its facilities.

The bottom line, however, is that the BOP cannot and has not managed the illness/ safety of its charges – including its staff. Your Honor should release Mr. Aronshtein for the reasons stated previously.

Very truly yours,
/s/

Vivian Shevitz

Attached: Dr. Kateb 4-24-2020 medical letter
- Lawsuit against FCI Danbury and Press Release

Cc: AUSA, by ecf.